

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TERRANCE MARSH, ET AL.,

Plaintiffs,

v.

FREEDOM MORTGAGE
CORPORATION,

Defendant.

Case No. 1:24-cv-01304-CDB

ORDER ON JOINT MOTION GRANTING
NUNC PRO TUNC EXTENSION OF TIME
TO RESPOND TO COMPLAINT

(Doc. 5)

Plaintiffs Terrance Marsh and Gesele Marsh initiated this action against Defendant Freedom Mortgage Corporation in the Superior Court for the State of California, County of Kern, case entitled *Terrance Marsh and Gesele Marsh v. Freedom Mortgage*, Case No. BCV24101027, on March 28, 2024. (Doc. 1). Defendant was served with the summons and the complaint on September 27, 2024, with an answer or other responsive pleading due on October 27, 2024. *Id.* Defendant removed the state court action to this Court on October 24, 2024. *Id.* On October 31, 2024, the parties stipulated to a 26-day extension for Defendants to respond to the complaint by November 22, 2024. (Doc. 4); *see* Local Rule 144(a).

Pending before the Court is the parties' second stipulated request to extend by 17 additional days the deadline for Defendant to file its responsive pleading to the complaint (through and including December 10, 2024). The parties' joint motion was filed on November

22, 2024—three days *after* the parties’ stipulated deadline for Defendant’s response to the complaint. (Doc. 5).

In the Eastern District of California, “[r]equests for Court-approved extensions brought on the required filing date for the pleading or other document are looked upon with disfavor.” Local Rule 144(d). While the Court finds good cause to grant the request, here, it should have become apparent to the parties that they required an extension of time for Defendant to file a response to the complaint before (not after) the November 22, 2024, filing deadline. The Court disfavors granting relief *nunc pro tunc* and admonishes the parties to exercise better care and to adhere to this Court’s Local Rules in all future filings.

In light of the stipulation and good cause appearing, IT IS HEREBY ORDERED Defendant shall have until **December 10, 2024**, to file an answer or other responsive pleading to Plaintiffs’ complaint. *See* Local Rule 144(a). Absent extraordinary circumstances, no further extensions of the filing deadline will be granted.

IT IS SO ORDERED.

Dated: **November 26, 2024**


UNITED STATES MAGISTRATE JUDGE